

Memorandum



Date: June 2, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

Agenda Item No. 8(F)(10)

From: Daniella Levine Cava
Mayor

Resolution No. R-549-21

Subject: Recommendation for Approval to Award a Designated Purchase Contract: Supervisory Control and Data Acquisition System

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for award of Designated Purchase Contract No. BW-10114, Supervisory Control and Data Acquisition (SCADA) System, to Emerson Process Management Power and Water Solutions, Inc. (Emerson) to enable the Miami-Dade Water and Sewer Department and the Department of Transportation and Public Works to monitor and control various operational systems at water and wastewater facilities, and meet regulatory requirements (local and federal) pertaining to the maintenance of a fully functional SCADA system. Approval of a designated purchase is being requested, pursuant to Section 2-8.1(b)(3) of Miami-Dade County Code by a two-thirds vote of the Board members present, to authorize award of a contract to provide for ongoing maintenance, repair, and upgrade of the existing SCADA System infrastructure, as well as the expansion of the SCADA System to additional facilities, as needed.

The previous contract for these goods and services, Contract No. SS8180-3/13, was awarded by the Board in 2007 under Resolution No. R-344-07. The contract was originally awarded to Bristol, Inc., the proprietary owner of the SCADA System. In 2013, the proprietary technology was purchased by Emerson, resulting in an assignment of the contract. The contract was extended through October 31, 2018 under Resolution No. R-683-13, and further extended under administrative authority until April 30, 2019. The departments have been able to continue with projects initiated prior to the expiration of the previous agreement under the previously approved funding, including access to maintenance and repair services, and have therefore, not experienced a gap in coverage during the re-procurement process.

In accordance with Resolution No. R-718-17, planning for re-procurement began 18 months prior to expiration of the existing agreement. Initial consideration was given to extending the existing agreement, however, after review and legal consultation with the County Attorney's Office, it was determined that a replacement contract that contained updated legislative requirements and contract terms would be in the best interest of the County. County staff then engaged Emerson in negotiations to achieve a replacement contract.

Since the contractual relationship with Emerson was previously established via an assignment of an existing contract and not via negotiations, Emerson was not familiar with County legislation pertaining to lobbyist registration requirements. Negotiations were delayed for more than a year while Emerson worked with the Internal Services Department and the Commission on Ethics and Public Trust to resolve questions pertaining to lobbyist registration and subsequently sought the requisite internal approvals to complete the lobbyist registration process. Upon completion of the lobbyist registration process, both parties sought to achieve updates to the replacement contract, resulting in a protracted negotiation process. Through negotiations, the County was able to achieve price escalation protections not available under the previous agreement, a higher limitation of Emerson's liabilities, broader audit rights, fixed discount percentages for products and services, as well as access to expanded product catalogues.

The SCADA System includes a complex network of remote terminal sensors that provide the following functions:

- Water Production Functions: monitors and controls water facility processes such as flows, chemical tank levels, PH, turbidity, and chlorine as well as monitors and controls wellfield processes.
- Water Distribution: monitors pressures and flows throughout WASD’s infrastructure
- Pump Stations: monitors sewer pump stations’ parameters such as pump runtimes, wet-well levels, sewage pressures, and flows
- Sewer Collection: monitors sewage pressures and flows
- Sewer Treatment: monitors flows, levels, and chlorine; controls processes such as filters backwash, and power co-generation
- Hydraulic Modeling: centrally collects diverse data and allows for centralized analysis
- Stormwater Operations: monitors and controls pump station operations, canal water levels, and rainfall data
- Reports/Analysis: provides data inputs and analysis tools for various departmental operations, including: regulatory compliance, capital projects forecasting/population demand, Consent Decree data analytics, and Ocean Outfall legislation analytics.

As the County has constructed additional facilities and identified needs for upgrades and modernizations at various existing facilities (pump stations, treatment plants, etc.), the SCADA System has been expanded and updated to ensure that the technology is up to date and functioning properly. The SCADA System now includes more than 90 water wells, three water treatment plants, three wastewater treatment plants and 1,050 sewer pump stations. The SCADA System has over 1,300 Remote Terminal Units monitoring more than 203,000 tags (process variables, signals), and is one of the largest SCADA Systems of its kind in the country.

Competition is not practicable at this time because Emerson is the proprietary provider of the existing SCADA System, and there are no other vendors authorized to provide these services. Additionally, the County has made a significant financial investment, an estimated \$55,000,000, in order to achieve a standardized SCADA System to allow for centralized monitoring and management. Further, staff has developed expertise in the operation of the SCADA System, which is critical to maintaining an infrastructure of the size and complexity found at the County.

If the County were to consider a competitive solicitation for a replacement contract, the entire SCADA system would have to be replaced. Prior to replacing a SCADA System, extensive analysis is required to determine the feasibility of a replacement. If analysis indicates that a replacement is feasible, the existing system must remain in place and continue to be serviced and supported during the implementation of a new system as an interruption in system availability could result in catastrophic infrastructure failure, which could compromise public health and safety. Due to the complexity of SCADA replacements, implementations take multiple years to complete and are extremely costly. During the term of this contract, staff will continue to conduct analysis to determine if competition for SCADA System replacement is in the best interest of the County.

Accordingly, it is in the County’s best interest of the County to award this designated purchase contract pursuant to Section 2-8.1(b)(3) of Miami-Dade County Code to continue purchasing ongoing maintenance, repair, and upgrades of the existing SCADA System infrastructure, as well as the expansion of the SCADA System to additional facilities.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$13,239,536. Should the County choose to exercise, at its sole discretion, the one, five-year option to renew term, the estimated cumulative allocation would be

\$26,479,072. The previous contract, Contract No. SS8180-3/13, was valued at \$37,785,699 for a twelve-year term and expired on April 30, 2019. The allocation under the replacement contract is slightly lower than the previous contract based upon negotiated savings and anticipated usage throughout the contract term.

Department	Allocation	Funding Source	Contract Manager
Transportation and Public Works	\$1,000,000	Stormwater Utility Fees	Liza Herrera, P.E.
Water and Sewer	\$12,239,536	Proprietary Funds	Leonardo Burgos, P.E.
Total:	\$13,239,536		

Track Record/Monitor

Beth Goldsmith of the Internal Services Department is the Chief Negotiator.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to execute the contract and exercise all provisions of the contract, including any cancellation, renewal or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Vendor Recommended for Award

Vendor	Principal Address	Local Address*	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
Emerson Process Management Power & Water Solutions, Inc.	200 Beta Drive Pittsburgh, PA	13200 SW 128 Street Suite A-4 Miami, FL	4	Robert Yeager
			0.57%	

*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of vendor's employees who reside in Miami-Dade County as compared to the vendor's total workforce.

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced included convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies where permitted by the funding source.
- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage does not apply.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: June 2, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(10)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☒ Applicable legislation requires more than a majority vote (i.e., 2/3's present ☒, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☒ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(10)
6-2-21

RESOLUTION NO. _____ R-549-21

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING AWARD OF CONTRACT NO. BW-10114 FOR PURCHASE OF SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM IN AN AMOUNT NOT TO EXCEED \$26,479.072.00 FOR THE INITIAL FIVE-YEAR TERM AND ONE, FIVE-YEAR OPTION TO RENEW FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT AND THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWAL, CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

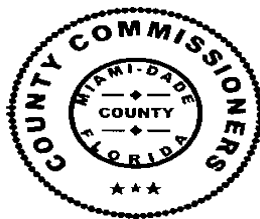
Section 1. This Board finds it is in the best interest of Miami-Dade County to award Contract No. BW-10114 for purchase of Supervisory Control and Data Acquisition System in an amount not to exceed \$26,479.072.00 for the initial five-year term and one, five-year option to renew for the Miami-Dad Water and Sewer Department and the Department of Transportation and Public Works, pursuant to section 2-8.1(b)(3) of the Code of Miami-Dade County, by a two-thirds vote of the Board members present. Copies of the contract documents are on file with and available upon request from the Internal Services Department, Strategic Procurement Division.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract, including any renewal, cancellation or extension provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of June, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Oren Rosenthal